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1/26/01
JR

see all

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RYAN MICHAEL KERWIN,

Plaintiff

v.

STATE CORRECTIONAL INSTITUTION
OF SMITHFIELD, ET AL.,

Defendants

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CIVIL NO. 1:CV-00-1986

(Judge Caldwell)

FILED
HARRISBURG PA

JAN 25 2001

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

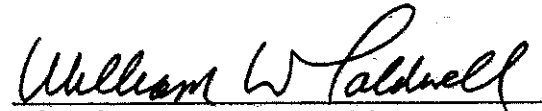
MARY E. D...
PER *[Signature]*
DEPUTY CLERK

Ryan Michael Kerwin, an inmate at the Smithfield State Correctional Institution, Huntingdon, Pennsylvania, filed this civil rights action under 42 U.S.C. § 1983. Presently pending before the court is plaintiff's motion requesting leave of court to file an amended complaint.

Since service of the original complaint has not yet been ordered, Kerwin may submit an amended complaint as a matter of right. See Fed. R. Civ. P. 15(a). Consequently, plaintiff's motion, although unnecessary, will be granted.

Accordingly, this 25th day of January, 2001, it is ordered that:

2. Within twenty days of the date of this order, the plaintiff may file an amended complaint. Any amended complaint must use the form complaint attached to this order.
3. If the plaintiff fails to submit a timely amended complaint, the court will examine the original complaint for legal sufficiency and may dismiss this action if the original complaint is frivolous, fails to state a claim upon which relief may be granted, or is malicious.



William W. Caldwell
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

January 25, 2001

Re: 1:00-cv-01986 Kerwin v. State Correction

True and correct copies of the attached were mailed by the clerk
to the following:

Ryan Michael Kerwin
SCI-SM
#DZ0246
P.O. Box 999
1120 Pike St.
Huntingdon, PA 16652

W. Conner Jara

cc:	
Judge	(<input checked="" type="checkbox"/>)
Magistrate Judge	()
U.S. Marshal	()
Probation	()
U.S. Attorney	()
Atty. for Deft.	()
Defendant	()
Warden	()
Bureau of Prisons	()
Ct Reporter	()
Ctroom Deputy	()
Orig-Security	()
Federal Public Defender	()
Summons Issued	() with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()
Order to Show Cause	() with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	(<input checked="" type="checkbox"/>)
Other <u>ASLC</u>	(<input checked="" type="checkbox"/>)

MARY E. D'ANDREA, Clerk

DATE: 1-25-01

BY: *[Signature]*
Deputy Clerk